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VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

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boston
dallas
delaware
new york
san diego
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washington, dc

Re: **EX PARTE SUBMISSION**
WT Docket No. 03-66; Amendment of Parts 1, 21, 73, 74 and 101 of
the Commission's Rules to Facilitate the Provision of Fixed and
Mobile Broadband Access, Educational and Other Advanced Services
in the 2150-2162 and 2500-2690 MHz Bands

Dear Ms. Dortch:

Today, the undersigned counsel to the Catholic Television Network ("CTN"), spoke by telephone with John Muleta and Catherine Seidel of the Wireless Telecommunications Bureau. We discussed the proposed band plan in the above-referenced proceeding and CTN's concerns with any changes to ITFS eligibility restrictions. I emphasized that CTN is opposed to any changes in the band plan that would result in the loss of spectrum to ITFS licensees. I also reiterated that CTN is opposed to any changes in the Commission's existing eligibility requirements for ITFS licensees. I stressed that a new band plan, new technical rules, and the secondary market policies were sufficient to stimulate a robust market for leasing of ITFS spectrum, while at the same time, ensuring that the spectrum is under the control of eligible educational entities. Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this letter is being filed electronically.

Respectfully submitted,

/s/ Edwin N. Lavergne

Edwin N. Lavergne
Counsel to the Catholic Television
Network

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Letter to Marlene H. Dortch
May 28, 2004
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cc by email: Catherine Seidel